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SUBJECT: PANAMA: MIGUEL ANTONIO BERNAL'S QUEST TO SAVE  
UNIVERSITY OF PANAMA

#### SUMMARY AND INTRODUCTION

1. (SBU) In May 2005, when newspapers reported that the University of Panama (UP) had issued thousands of false diplomas, Professor Miguel Antonio Bernal quickly took the lead in denouncing the school's administration. Bernal went even further and filed criminal charges against university rector Gustavo Garcia de Paredes and other university administrators. Bernal has fought an open battle with UP's administration for several years. In April 2004, Rector Garcia attempted unsuccessfully to fire Bernal for publicly criticizing his management of the university. In September 2005, the university's academic council declared Bernal "persona non grata" for his statements about the diploma scandal. Bernal plays the role of a political gadfly well and is an engaging personality. He has gained celebrity status in Panama through his radio talk show and frequent op-ed articles in the national daily "La Prensa." During a meeting at his law firm's office with PolOff (Bernal no longer has a university office), Bernal spoke freely about the university's scandal and called the University of Panama "the place that teaches the corruption that permeates all levels of Panamanian society." End summary.

2. (SBU) In the wake of the May 2005 UP diploma scandal, the government allowed Garcia to conduct his own internal investigation. Garcia's investigation, not surprisingly, found that he had no involvement in the issuance of fraudulent diplomas. Garcia admitted that some students received diplomas who had not registered and paid for their final coursework. The Secretary General of the university resigned following the investigation but is now a full-time professor at the university. No other university staff were punished or dismissed. Garcia's continued presence damages the university's reputation and makes it increasingly difficult for UP alumni who wish to study in graduate and professional schools abroad. Bernal claims that his antagonism to Garcia is not a personal vendetta but an obligation he feels to his country. Outspoken and opinionated, Bernal clearly enjoys his notoriety. However, he is also driven by his vision of the type of nation Panama could be if the GOP fixed the public university system and took steps to reduce corruption in the country. Bernal also believes that failing to repair its educational system will be disastrous for Panama.

#### Panama's first Public University

3. (SBU) Founded as Panama's first public university in 1935, UP's purely academic role was sacrificed following the 1968 military coup. Prior to the coup, UP was the school for middle class Panamanian students who could not afford to study abroad. When UP students took their opposition of the military dictatorship of Omar Torrijos to the streets, the general closed the university for several months and reopened it with lower admission standards and reduced fees. Torrijos described those changes at the time as ensuring education was available to the poor as well as the rich. The university reemerged as the nation's center of left-wing politics as General Torrijos expanded his power base. Politically disloyal professors and student groups were purged from the university. The school's reputation and academic standards and credentials have suffered since that time. Panama's national university has become just another example of how corruption is tolerated in Panama, according to Bernal's analysis.

#### Fixing the University - Not a Priority

4. (SBU) Wealthy Panamanian families continue to send their children abroad for their college education. Current President Martin Torrijos is one of Panama's many graduates of Texas A&M University. Panama's Ambassador to the United States, Federico Humbert attended Notre Dame University. Since a good education is available to those with the means to pay for it, fixing the problems of a dysfunctional university are not a priority for the GOP. However, failing to create an educational system that works for the country's middle class, only fuels a shortage of well-trained educators and technocrats that could help Panama advance as a nation. Although Panama has conducted a review of their judicial

system this year, nothing has been done to address the problems at the national university.

#### An Outspoken Professor, Political Activist, Celebrity

15. (SBU) Bernal, 56, has a long history of opposing corruption and the status quo in Panama. He is a professor of constitutional law who earned his doctorate in law and political science from the Sorbonne. As a Fulbright Professor he taught at Lehigh University, and later Wake Forest University. He is one of the few internationally recognized intellectuals in Panama. In 1975, Panama's military government exiled Bernal because of his open criticism of their rule. In 1979 while he protested against the Shah of Iran's presence in Panama, police beat him severely, resulting in his hospitalization. He is not currently affiliated with any political party but he campaigned unsuccessfully as an independent candidate for mayor of Panama City in 1999. Bernal frequently writes newspaper articles critical of corruption in Panama and has a popular radio talk show four days a week. On the streets of Panama, people recognize him, engage him in conversation, or shake his hand from their car windows.

#### Corruption 101 Taught at the University

16. (SBU) Bernal described Panama as a country with a corrupt environment: "The government is corrupt, the private sector is corrupt, and the legal system is corrupt. The worst corruption is at the University of Panama where they teach corruption." Bernal is concerned about the integrity of the university where the majority of Panamanian college students study. Exuding exasperation he said "If we (the university) can't prepare the people to run the country, we are in trouble. The university is going downhill and is giving diplomas to the undeserving."

#### No investigation necessary?

17. (SBU) The lack of a real investigation of the diploma scandal gives credence to Bernal's comments. In April, following a confrontation between student groups, Bernal was given photocopies of bogus diplomas issued by UP. Bernal informed Panama's Attorney General about the phony diplomas. When the Public Ministry announced plans to investigate the awarding of fraudulent diplomas, Rector Garcia closed the registrar's office and blamed the closure on student demonstrations against social security reforms. In response to a subsequent Supreme Court summons, Garcia justified the closure of the university's records building by explaining an investigation by the Public Ministry would have violated the university's "autonomous" status. Garcia announced that an internal investigation revealed that he had no involvement in the issuance of fraudulent diplomas. The Secretary General of the University resigned following the investigation but now has a full-time university teaching position and serves as an advisor to the rector. In fact, no one of all the persons involved in diploma irregularities were punished. Professor Bernal maintains that hundreds of persons, some of them now important persons in Panama, including Minister of Government and Justice (MOGJ) Hector Aleman, have received fraudulent diplomas from the university.

#### Rewarding Excellence in Education?

18. (SBU) In July, two months after the diploma scandal exploded, Torrijos signed a law granting Garcia increased authority over faculty tenure decisions and allowing Garcia to run for reelection as rector for a third time. Bernal describes Garcia as "someone protected by Panama's establishment" and blames the university's problems on elements of the ruling Revolutionary Democratic Party (PRD) that still control the university. With 74,000 students (2.5% of Panama's population) and 4500 professors UP is a large institution. Full time students pay only \$27 per semester to attend the school, payable in installments. Many choose to become "professional students," taking one course per semester and remain enrolled at the university for years. The GOP spends approximately \$1350 per university student, a relatively low figure that produces a low-quality education.

#### Paranoid or brilliant?

19. (SBU) Bernal sounds somewhat paranoid when he describes the university's frequent student demonstrations as a cooperative effort between the GOP and the university. He cited demonstrations demanding clean-up of former U.S. military firing ranges that occurred immediately after the announcement of President Bush's November 2005 visit to Panama. Student demonstrators threw rocks and molotov cocktails on the streets near the university and then retreated into the campus to continue these activities. Some students used large slingshots to launch stones from the university onto cars and police on the nearby streets. Citing the tradition of universities as a place of sanctuary, the university does not allow the police to enter their

grounds to stop the rock throwing and to arrest students. After demonstrating, the students eat in university cafeterias and then leave the campus in a university-provided bus. Following the anti-Bush demonstrations, however, the Panamanian National Police (PNP) stopped a bus after it left the university and arrested six demonstrators. Bernal, however, believes these arrests were an anomaly on the part of the PNP and that MOGJ Hector Aleman will not allow these arrests to continue. (Coincidentally, a group of bank robbers recently drove their get-away car to UP's congested campus area prior to abandoning it and fleeing on foot.)

#### Demonstrations - Government safety valve

10. (SBU) Bernal also believes the GOP allows violent student demonstrations to further their own policies. He feels peaceful demonstrations (as those that occurred in May and June against social security reforms) would truly hurt the government. By allowing violent student demonstrations to occur, the GOP redirects attention towards the students who are seen as unreasonable by the Panamanian public. Also, the violent nature of some of these student demonstrations deters other citizens from joining the demonstrations or protesting. Bernal maintains that "By closing the streets, the government can control the demonstrators and prevent real massive demonstrations. If the real people took to the street, the government would fall."

#### Other Problems Exist at UP

11. (SBU) Bernal also asserts the university's finances are in trouble but the comptroller of Panama has never investigated them. Bernal claims lucrative contracts to operate restaurants and copy centers on the university are awarded to friends of Garcia. He also maintains that there are "phantom workers" who are on the school's payroll but do not work. Humberto Alcache, a handyman who works for the rector was arrested for stealing computers in 2002 but the charges against him were dropped. Contracts to operate Kiosks that sell snack food and copy centers that reproduce textbooks and student handouts are also awarded to friends of Garcia.

#### Inappropriate use of sanctuary?

12. (SBU) Bernal is particularly bothered by the university policy that allows violent students to use the university as a refuge. He told PolOff that the university protection exists to protect freedom of expression, not criminal acts and recalled that he had protested against the military dictatorship without violence. Bernal described typical student demonstrators as big and strong, unlike the short, skinny students that make up the majority of the university's enrollment. He called many of the demonstrators "permanent students" who have been at the university for 12-15 years and take a single course each semester to remain enrolled. Bernal believes about university sanctuary differ radically from university rector Garcia. Following the arrest of the six students, Garcia called their arrest an abuse of the autonomy of the university. Bernal also resents the university being closed periodically because of student demonstrations. "It hurts the university when it is closed. It hurts education in Panama. A classroom should always be open. The university has become a center for political interests, not academics." (Comment: UP recently reopened following a week long closure due to student protests.)

#### Comment: Can UP be saved?

13. (SBU) Bernal is not sure if the university problems are solvable. He is concerned about his country's future and believes Panama needs more contacts with the outside world. "In the future, Panama may not be able to defend its interests. Our people aren't ready to assume positions of responsibility. The telephone company had to hire Spaniards to work in critical fields like security." He is discouraged about the role of outside universities in Panama such as Florida State and Louisville University. In the early 1990s, Bernal unsuccessfully approached several other American universities about establishing branches in Panama. "Student exchanges with American universities, could erase some of the bad feelings between our countries. The international scientific community should build centers around the Panama Canal to protect this environment. Many Panamanians now go to Canada to learn English. Why not exchange 500 students between the US and Panama to teach them English and Spanish?" Bernal calls Panama "an intolerant, closed society that must open up to the rest of the world. People need to become involved in the government or another crazy could come to power in Panama. Populists governments, such as Venezuela, are dangerous."

14. (SBU) Bernal is more than a self-serving academic. His

academic credentials alone would allow him to live comfortably in many other developed countries but he is passionate about Panama. He fears the university's problems will affect Panama's ability to compete internationally. UP today lacks modern libraries, laboratories, and computer equipment as the result of mismanagement and inadequate budgets. Bernal describes the situation as a disaster for Panama and a major deterrent to foreign investment. He calls the university "a place where people learn how to cheat. An architect or lawyer leaves the university with a diploma he or she did not really earn, unprepared to do their professional work." Bernal concludes "The University of Panama teaches students to be corrupt. If you're not corrupt in Panama, you are a controversial figure - like me."

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